

PROB 12C
Rev 2/03 CHAMBERS, Oscar L.

FILED
JAMES J. ...
CLERK

United States District Court

for

2008 JUN -3 AM 10:42

Southern District of Ohio

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WEST CINCINNATI

Amended Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: **Oscar L Chambers**

Case Number: **1:02CR00166**

Name of Sentencing Judicial Officer: **The Honorable Sandra S. Beckwith**
Chief United States District Judge

Date of Original Sentence: **November 19, 2003**

Original Offense: **Count One-Possession of a Firearm by a Convicted Felon, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2)**

Original Sentence: **37 month(s) prison, 36 month(s) supervised release**

Special Conditions: **1) Obey all federal, state, and local laws;
2) No firearms or dangerous weapons;
3) No controlled substances;
4) Submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter;
5) Participate in substance abuse treatment;
6) Take all prescribed medications as directed by the prescribing health care provider;
7) Pay \$100 special assessment, due immediately.
1-17-08: Amended- 90 days electronically monitored home confinement**

Type of Supervision: **Supervised Release**

Date Supervision Commenced: **June 7, 2005**

Assistant U.S. Attorney:
Anthony Springer, Esq.

Defense Attorney:
To be assigned

PETITIONING THE COURT

- ☒ To issue a warrant and toll Chambers' supervised release. (Please be advised that Chambers has been in state custody since April 13, 2008, on pending charges. A federal supervised release violation warrant was issued on April 15, 2008. He will be released to federal custody upon the final disposition of all state charges).
- ☐ To issue an Order to Appear and Show Cause
- ☐ To grant an exception to revocation without a hearing.

Violation Number

Nature of Noncompliance

#1

Chambers has allegedly violated the mandatory condition of supervised release which states, "The defendant shall not commit another federal, state, or local crime."

Chambers was initially cited for Assault on March 13, 2008, in Cincinnati, Ohio pursuant to an incident that occurred within that jurisdiction on or about February 28, 2008. Information received by the probation officer indicated that on or about February 28, 2008, the offender allegedly took some items and the male

complainant asked him to return them to him. When the offender returned to the complainant's apartment in the same building as the offender lived, Chambers and the complainant argued and the offender allegedly walked into the hallway with a knife and a broom. The complainant stated that Chambers hit him with the broom on his arms and legs leaving bruises. It should be indicated that this incident was initially referred to the Hamilton County Municipal Court Private Complaint Mediation Service Warrant Referral Department for the Assault charge. The offender initially appeared for this mediation effort on March 13, 2008. However, the case was unresolved through mediation and a criminal warrant was lodged against the offender on the charge of Assault on April 4, 2008, Docket Number 08CRB8230. The offender was arrested on that date and appeared before the Honorable Heather Stein Russell in Hamilton County Municipal Court on April 5, 2008, at which time he was released on a \$1,000-10% cash bond and was ordered to stay away from the victim. On April 13, 2008, the offender was arrested on additional state charges and has been in state custody since that date. A federal supervised release violation warrant was issued on April 15, 2008. The offender is scheduled to appear before the Honorable Heather Stein Russell in the Hamilton County Municipal Court on June 12, 2008, for the purpose of a clinic report regarding the above Assault charge.

On April 7, 2008, a female complainant advised the Cincinnati Police Department that Chambers said that he was going to kill her at least twice over a two day period and would allegedly not leave her alone. She was very fearful of him because of his previous violent behavior. A criminal Complaint was filed against Chambers on the charge of Domestic Violence regarding this incident in which he knowingly made threats to cause serious physical harm to the victim and stated that he wanted to kill her. The victim further advised in an Affidavit that on April 4, 2008, Chambers came to her home and was very upset and said he was going to kill her and that he asked her to kiss his pants. On April 7, 2008, the offender and the complainant were at the Allen Care Center for a meeting with a physician and the offender came into the meeting and allegedly told her to her face that he wanted to kill her again. A warrant was issued for the offender's arrest and on April 13, 2008, Chambers was arrested on this charge of Domestic Violence under Docket Number 08CRB11339 on April 13, 2008. Chambers next appeared in Court for a bond hearing on April 14, 2008, and was ordered eligible for \$15,000-10% bond. Due to his inability to make bond, he has remained in state custody since that date. A federal supervised release violation warrant was issued on April 15, 2008. On April 28, 2008, the offender appeared before Judge Heather Stein Russell on the above charge of Domestic Violence in Hamilton County Municipal Court, at which time, Mr. Chambers was convicted and was ordered to pay a \$116.00 fine within thirty days.

On April 13, 2008, the offender was also charged with Possession of Marijuana, Docket Number 08CRB12014, as while he was being arrested on April 13, 2008 for the Domestic Violence charge, arresting officers located marijuana in Chambers' left coat pocket. On April 28, 2008, Mr. Chambers appeared before Judge Stein Russell in Hamilton County Municipal Court on the above charge for Possession of Marijuana at which time he pled no contest and was found guilty. The offender was sentenced to thirty days in the custody of the Hamilton County Justice Center-thirty days jail time credit for time served. He was also ordered to pay a \$110.00 fine within thirty days.

U.S. Probation Officer Recommendation: This officer is concerned about Chambers' convictions for Domestic Violence and Possession of Marijuana along with his pending Assault charge, and fear that the offender is now a true threat to the physical safety of the community. Thus it is respectfully recommended that Mr. Chambers' supervised release time be tolled as he has a federal supervised release expiration date of June 6, 2008. Please note that the offender has been in state custody at the Hamilton County Justice Center since April 13, 2008. A federal supervised release violation warrant was issued on April 15, 2008. He will be released to federal custody once all state charges have been disposed of in state court.

The term of supervision should be

- ☒ Revoked.
☐ Extended for years, for a total term of years.
☐ Continued based upon the exception to revocation under 18 USC 3563(e) or 3583(d)
☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that
the foregoing is true and correct.

Executed on **June 2, 2008**



David Backman

U.S. Probation Officer

by



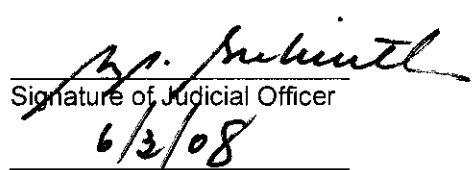
John Cole

Supervising U.S. Probation Officer

Date: **June 2, 2008**

THE COURT ORDERS:

- ☐ No Action
☒ The Court finds that there is probable cause to believe the defendant has violated the conditions of his/her probation/supervised release and orders the Issuance of a Warrant for his/her arrest and tolls his supervised release.
☐ The Issuance of an Order to Appear and Show Cause
☐ The Court finds the defendant can benefit from continued substance abuse treatment and grants an exception to revocation. The supervision term of the defendant is continued under all original terms and conditions.
☐ Other



Signature of Judicial Officer

6/3/08
Date
